

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JENNIFER A. POTVIN,

Plaintiff,

CASE NO. 05-CV-70291

-vs-

PAUL D. BORMAN
UNITED STATES DISTRICT COURT

KEN PERCIN, STEPHEN BIRD,
and JAMES FRANCISCO, in
their individually capacities,

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS' MOTION
FOR A DIRECTED VERDICT**

Before the Court is Defendants' July 31, 2007 Motion for a Directed Verdict. For the reasons stated on the record on July 31, 2007, the Court hereby:

- (1) **GRANTS** Defendants' Motion as to Plaintiff's 42 U.S.C. § 1983 deliberate indifference claim; and
- (2) **GRANTS** Defendants' Motion as to Plaintiff's Intentional Infliction of Emotional Distress claim;

Therefore, Plaintiff's remaining claims against Defendants are: (1) 42 U.S.C. § 1983 excessive force; and (2) assault and battery.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: August 1, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on August 1, 2007.

s/Denise Goodine

Case Manager